

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Kem Ontae Peters,

Plaintiff

v.

Cesar Almase, Esq.,

Defendant

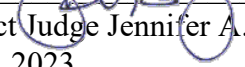
Case No.: 2:22-cv-02152-JAD-EJY

**Order Adopting Report and  
Recommendation and Dismissing Case**

[ECF Nos. 1, 3]

The magistrate judge has screened Plaintiff Kem Ontae Peters's complaint and recommends that this action be dismissed because Peters has failed to—and under these circumstances cannot—state a plausible claim against his court-appointed attorney for a federal constitutional violation.<sup>1</sup> The deadline for Peters to object to that recommendation was January 17, 2023, and no party filed anything or asked to extend the deadline to do so. “[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.”<sup>2</sup> Having reviewed the report and recommendation, I find good cause to adopt it, and I do.

IT IS THEREFORE ORDERED that the Magistrate Judge’s Report and Recommendation [ECF No. 3] is **ADOPTED** in its entirety and Peters’s application to proceed in forma pauperis [ECF No. 1] is **DENIED** as moot. **This action is DISMISSED** with prejudice because Peters’s claims fail as a matter of law and amendment would be futile, and the Clerk of Court is directed to ENTER JUDGMENT and CLOSE THIS CASE.

  
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U.S. District Judge Jennifer A. Dorsey  
January 23, 2023

<sup>1</sup> ECF No. 3.

<sup>2</sup> *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).